

REMARKS

This paper is a response to the Office Action mailed September 17, 2008. Prior to entry of this paper, claims 1-32 were pending in this application. Claims 1, 5, 7, 11-13, 16-17, 28-30, and 32 are amended above. No claims are cancelled or added. No new matter is added. Accordingly, claims 1-32 remain pending.

In the Office Action mailed September 17, 2008, pending claims 1-32 were rejected. More specifically, the status of the application in light of this Office Action is as follows: claims 1-22 and 27-31 were rejected under 35 U.S.C. § 102(b) over U.S. Patent Pub. No. 2001/0026512 ("Nishimura") and claims 23-26 were rejected under 35 U.S.C. § 103(a) over Nishimura in view of U.S. Patent No. 5,053,965 ("Fujimura").

Applicant respectfully traverses these rejections.

Applicant respectfully submits that claim 1 is allowable at least because the applied references fails to disclose or suggest "generating a reference signal in response to a first input signal and a second input signal that are derived from a plurality of light signals reflected from an optical storage medium according to scaling the first input signal and the second input signal, during all operating modes, by fixed scaling factors" (emphasis added), as claim 1 now recites.

In contrast, Nishimura is generally directed to "stably reproduce wobble signals ... by one wobble signal reproducing circuit." (Nishimura, Abstract). As shown in Nishimura's fig. 1, Nishimura includes automatic gain control (AGC) circuits 21 and 22 between an optical detector and subtracting circuit 117. As known in the art, AGC circuits function to automatically adjust gain and/or attenuation. Thus, one of skill in the art would recognize that Nishimura's AGC circuits enable variable gain and/or attenuation in the paths between the optical detector and subtracting circuit 117.

One of skill in the art would also recognize that the very presence of Nishimura's AGC circuits teaches automatic gain/attenuation adjustment rather than use of fixed gain/attenuation. Accordingly, one of skill in the art would also recognize that Nishimura's use of AGC circuits teaches away from "fixed scaling factors," as applicant's claim 1 now recites. For at least these reasons, applicant respectfully submits that claim 1 is allowable.

Applicant respectfully submits that claim 7 is allowable at least because the applied references fails to disclose or suggest "generating a reference signal by, during all operating modes, attenuating by fixed scaling factors a first input signal and a second input signal[.]" as claim 7 now recites.

Applicant respectfully submits that claim 13 is allowable at least because the applied references fails to disclose or suggest "a first operation unit configured to generate a reference signal in response to a first input signal and a second input signal that are derived from scaling, during all operating modes, a plurality of light signals reflected from an optical storage medium by fixed scaling factors," as claim 13 now recites.

Applicant respectfully submits that claim 28 is allowable at least because the applied references fails to disclose or suggest "a first operation circuit configured to continuously generate a first input signal according to a first light signal reflected from an optical storage medium, a fourth light signal reflected from the optical storage medium, and a first fixed scaling factor[.]" as claim 28 now recites.

Applicant respectfully submits that claim 32 is allowable at least because the applied references fails to disclose or suggest "means for generating a reference signal by attenuating, by fixed scaling factors, a first input signal and a second input signal[.]" as claim 32 now recites.

Each of the remaining dependent claims depends from one of the independent claims discussed above. For at least this reason, these dependent claims are respectfully submitted to be allowable.

Conclusion

In view of the foregoing, the pending claims comply with the requirements of 35 U.S.C. § 112 and are patentable over the applied art. The applicants accordingly request reconsideration of the application and a mailing of a Notice of Allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to contact Davin Chin at (206) 359-6196.

Respectfully submitted,

Perkins Coie LLP



Date: December 16, 2008

Davin Chin
Registration No. 58,413

Correspondence Address:

Customer No. 25096
Perkins Coie LLP
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 359-8000